

United States District Court

for

Middle District of Alabama

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Maurice D. Lumford

Case Number: 3:06cr00044-DRB

Name of Sentencing Judicial Officer: The Honorable G. Mallon Faircloth, U.S. Magistrate Judge (MD/GA)
Jurisdiction Transferred on February 8, 2006 to the Honorable Delores R. Boyd

Date of Original Sentence: October 21, 2005

Original Offense: Theft of U.S. Property

Original Sentence: Twelve (12) months probation

Type of Supervision: Probation

Date Supervision Commenced: October 21, 2005

Assistant U.S. Attorney: Rebecca K. Connally

Defense Attorney: Pro Se

PETITIONING THE COURT

- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
Viol. 1. Mandatory Condition, "It is a condition of probation that defendant pay in accordance with the Schedule of Payments sheet of this judgement."	The offender has not made any payments on his \$25 special assessment nor his \$375 fine. The offender's jurisdiction was transferred to the Middle District of Alabama on February 8, 2006. The previous jurisdiction of the Middle District of Georgia required the financial obligations be paid in full by January 21, 2006 to the Central Violations Bureau. Due to penalties and interest, the offender now owes \$462.
Viol. 2. Mandatory Condition, "The defendant shall not illegally possess a controlled substance."	The offender was arrested for Possession of Marijuana, Second Degree, on August 5, 2006. The offender admitted verbally to the arresting officers that the marijuana was his and was for personal use.
Viol. 3. Standard Condition Number 6, "The defendant shall notify the USPO 10 days prior to any change of residence."	On August 24, 2006, I traveled to his last known address of 103 Plum Street, Apartment A, Opelika, Alabama, where I learned from the offender's girlfriend that he had moved months earlier. I then contacted his mother, who refused to answer any questions regarding her son's whereabouts. On August 25, 2006, the offender contacted me and informed me that he had moved from the aforementioned address in the winter and had not informed me of the move.
Viol. 4. Standard Condition, "The defendant shall notify	The offender was laid off from his employment in January 2006, and did not notify me that he had been laid off nor has he made any meaningful efforts that can be substantiated to find employment.

the USPO 10 days
prior to any change of
residence.”

Viol.5. Standard
Condition, “ The
defendant shall submit
a complete and truthful
monthly report.”

The offender quit sending monthly supervision reports in January 2006. Several efforts were made to contact the offender to bring him into compliance until finally I sent a letter for him to report to the office on August 23, 2006.

Viol. 6. Mandatory
Condition ,” The
defendant shall not
commit another
federal, state, and local
crime.”

The offender was arrested for Possession of Marijuana, Second Degree, on August 5, 2006. The court date in Opelika Municipal Court is October 30, 2006.

Viol. 7. Standard
Condition, “ The
defendant shall notify
the USPO within
seventy-two (72) hours
of being arrested or
questioned by law
enforcement officers.”

The offender was arrested for Possession of Marijuana, Second Degree, on August 5, 2006. He did not contact the USPO concerning this arrest.

Viol. 8. Mandatory
Condition, “ The
defendant shall refrain
from any unlawful use
of a controlled
substance.”

The offender admitted to using marijuana on August 24, 2006.

U.S. Probation Officer Recommendation: The USPO recommends that a summons be issued for the offender to appear before the court to show cause why his probation should not be revoked. A revocation hearing is required pursuant to 18 U.S.C. § 3565(b)(1). Additionally, 18 U.S.C. § 3665(b) requires a sentence of imprisonment if the court makes a finding that the offender was in possession of a controlled substance.

[] The term of supervision should be
[X] revoked.
[] extended for _ years, for a total term of _ years.

[] The conditions of supervision should be modified as follows:

I declare under penalty of perjury the foregoing is true and correct

Executed on August 30, 2006 By /s/ M. Stanford Robinson

U.S. Probation Officer

Reviewed and approved: /s/ Scott Wright

Supervisory U.S. Probation Officer

THE COURT ORDERS:

[] No Action
[] The Issuance of a Warrant
[X] The Issuance of a Summons
[] Other

/s/ Delores R. Boyd

Signature of Judicial Officer
United States Magistrate Judge
August 30, 2006